

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Applicant: Douglas Carl Bacon, et al.	:	
		:	Art Unit: 3628
Serial No.:	10/629,295	:	
		:	Examiner: Joseph, Tonya S.
Filed:	July 29, 2003	:	
		:	
For:	METHODS AND SYSTEMS FOR	:	
	GENERATING A FINANCIAL	:	
	REPORT	:	

January 6, 2011

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request review of the rejections set forth in the August 31, 2010 Final Office Action ("the Office Action"). A Notice of Appeal and fee in the amount of \$540 are filed concurrently herewith.

I. Status of Pending Claims

Claims 1-27 are now pending in this application. Claims 1-9 have been withdrawn. Claims 10-27 stand rejected. No amendments are being filed with this request.

II. Grounds of Rejection Presented For Review

The rejection of Claims 10, 13, 14, 17-19, 22, 23, 26, and 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2001/0032109 to Gonyea et al. (hereinafter referred to as "Gonyea") in view of U.S. Publication No. 2002/0016655 to Joao et al. (hereinafter referred to as "Joao"), further in view of U.S. Publication No. 2002/0161533 to Uegaki and U.S. Publication No. 2001/0054022 to Louie et al. (hereinafter referred to as "Louie"), and further in view of U.S. Publication No. 2003/0097288 to Shimomura et al. (hereinafter referred to as "Shimomura");

Claims 11 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, and Shimomura, and further in view of U.S. Pub. No. 2002/20059269 to McQuown et al. (hereinafter referred to as “McQuown”);

Claims 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, and Shimomura, and further in view of U.S. Publication No. 2001/0014868 to Herz et al. (hereinafter referred to as “Herz”) and JP 2002-149861 to Tsunoda et al. (hereinafter referred to as “Tsunoda”);

Claims 15 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, and Shimomura, and further in view of U.S. Publication No. 2003/0084019 to Woodmansee (hereinafter referred to as “Woodmansee”); and

Claims 16 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, Shimomura, and Woodmansee, and further in view of the Examiner’s Official Notice are presented for review.

Initially, in the “Response to Arguments” section of the Office Action, the Examiner asserts that Shimomura describes a server system that receives, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusts a quantity of input entries for repair work for each component part. Applicants respectfully disagree.

In particular, the Examiner points to paragraph [0019] of Shimomura as allegedly describing this feature. Paragraph [0019] recites:

[I]n the above configuration, when the inspection schedule data of the plant equipment stored in the inspection schedule database has been modified, the parts order request means may determine, for each device to be inspected indicated by the modified inspection schedule data, whether it is necessary to change contents of an order request in the case where the inspection type of the device is "part replacement", and if it is determined that it is necessary to change the contents, the parts order request means may prepare an order contents change request for the parts order request and transmit it to the predetermined terminal.

As such, Shimomura describes that a parts order request is prepared by a parts order request means based on each device to be inspected when part replacement is required as an

inspection type of a device, and preparing the parts order request for supplying a part specified by identification information by an estimated inspection start date of the device. Moreover, and, as recited in paragraph [0019], when an inspection schedule data is modified, it is determined whether it is necessary to change contents of an order request that includes a part replacement.

At best, Shimomura describes changing contents of an order request that includes a part replacement when an inspection schedule data has been modified. Shimomura is silent with respect to receiving, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusting a quantity of input entries for repair work for each component part. Shimomura merely describing that “it is determined whether it is necessary to change contents of an order request that includes a part replacement” is not a sufficient description to provide one ordinary skilled in the art an ability to adjust a quantity of input entries for repair work for each component part based on the number of inspection intervals for each component part.

a) Rejection of Claims 10, 13, 14, 17-19, 22, 23, 26, and 27 under 35 U.S.C. § 103(a)

No combination of Gonyea, Joao, Uegaki, Louie, and Shimomura describes nor suggests receiving, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusting a quantity of input entries for repair work for each component part, as is recited in independent Claims 10 and 19. Rather, as acknowledged by the Examiner, because none of Gonyea, Joao, Uegaki, and Louie describe nor suggest receiving, from a user, a number of inspection intervals for component parts, and based on that user input, adjust a quantity of input entries, Shimomura was relied upon as allegedly describing this feature. However, at best, Shimomura describes changing contents of an order request that includes a part replacement when an inspection schedule data has been modified. Shimomura is silent with respect to receiving, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusting a quantity of input entries for repair work for each component part. Merely describing that “it is determined whether it is necessary to change contents of an order request that includes a part replacement” is not a sufficient description to describe or suggest adjusting a quantity of input entries for repair work for each component part based on the number of inspection intervals for each component part.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claims 10 and 19 are patentable over Gonyea, Joao, Uegaki, Louie, and Shimomura.

Claims 13, 14, 17, and 18 depend from independent Claim 10. When the recitations of Claims 13, 14, 17, and 18 are considered in combination with the recitations of Claim 10, Applicants respectfully submit that dependent Claims 13, 14, 17, and 18 likewise are patentable over Gonyea, Joao, Uegaki, Louie, and Shimomura.

Claims 22, 23, 26, and 27 depend from independent Claim 19. When the recitations of Claims 22, 23, 26, and 27 are considered in combination with the recitations of Claim 19, Applicants respectfully submit that dependent Claims 22, 23, 26, and 27 likewise are patentable over Gonyea, Joao, Uegaki, Louie, and Shimomura.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 10, 13, 14, 17-19, 22, 23, 26, and 27 be withdrawn.

b) Rejection of Claims 11 and 20 under 35 U.S.C. § 103(a)

Claims 11 and 20 depend from independent Claims 10 and 19, respectively. As such, When the recitations of Claims 11 and 20 are considered in combination with the recitations of Claims 10 and 19, Applicants submit that dependent Claims 11 and 20 are patentable over Gonyea, Joao, Uegaki, Louie, Shimomura, and McQuown.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 11 and 20 be withdrawn.

c) Rejection of Claims 12 and 21 under 35 U.S.C. § 103(a)

Claims 12 and 21 depend from independent Claims 10 and 19, respectively. As such, when the recitations of Claims 12 and 21 are considered in combination with the recitations of Claims 10 and 19, Applicants submit that dependent Claims 12 and 21 patentable over Gonyea, Joao, Uegaki, Louie, Shimomura, Herz, and Tsunoda.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 12 and 21 be withdrawn.

d) Rejection of Claims 15 and 24 under 35 U.S.C. § 103(a)

Claims 15 and 24 depend from independent Claims 10 and 19, respectively. As such, when the recitations of Claims 15 and 24 are considered in combination with the recitations of Claims 10 and 19, Applicants submit that dependent Claims 15 and 24 are patentable over Gonyea, Joao, Uegaki, Louie, Shimomura, and Woodmansee.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 15 and 24 be withdrawn.

e) Rejection of Claims 16 and 25 under 35 U.S.C. § 103(a)

Claims 16 and 25 depend from independent Claims 10 and 19. As such, when the recitations of Claims 16 and 25 are considered in combination with the recitations of Claims 10 and 19, Applicants respectfully submit that dependent Claims 16 and 25 are patentable over Gonyea, Joao, Uegaki, Louie, Shimomura, Woodmansee, and Official Notice.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 16 and 25 be withdrawn.

III. Conclusion

For all of the reasons discussed above, it is respectfully submitted that the rejections are factually in error, that as such the rejections are legally insufficient to establish a proper prima facie case of obviousness, and that in view of these errors, the pending claims are in condition for allowance. For all of the above reasons, Applicants respectfully request the panel of Examiners to review the rejections in the August 31, 2010 Office Action prior to Appeal, and to withdraw these rejections.

Respectfully submitted,

/Kevin K. Jones/

Kevin K. Jones
Registration No. 56,809
ARMSTRONG TEASDALE LLP
7700 Forsyth Blvd., Suite 1800
St. Louis, Missouri 63105
(314) 621-5070